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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 DAMION BROMFIELD,

10 Plaintiff,

11 v.

12 CHARLES MCBURNEY, *et al*,

13 Defendants.

CASE NO. C07-5226RBL-KLS

ORDER GRANTING IN PART
AND DENYING IN PART
DEFENDANTS' MOTION TO
DISMISS

14 The Court, having reviewed defendants' motion to dismiss (Dkt. #32), the Report and
15 Recommendation of United States Magistrate Judge Karen L. Strombom, objections to the Report and
16 Recommendation [Dkt. #41], and the remaining record, does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) Defendants' motion is GRANTED in part and DENIED in part as set forth in the Report
19 and Recommendation;
- 20 (3) Plaintiff's request for injunctive relief contained in the amended complaint, but not the
21 complaint itself, (Dkt. #17) hereby is DISMISSED; and
- 22 (4) The Clerk is directed to send copies of this Order to plaintiff, defendants' counsel and
23 Magistrate Judge Karen L. Strombom.

24 DATED this 26th day of September, 2008.

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26 RONALD B. LEIGHTON
27 UNITED STATES DISTRICT JUDGE
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